

U.S. Serial No. 09/699,650
Attorney Docket No. PD-990272

REMARKS

As an initial matter, the undersigned would like to thank Examiner Arani for the courtesy of the telephone conference call held on July 6, 2004. Accompanying this paper is a paper entitled Interview Summary under 37 C.F.R. § 1.133, which summarizes the substance of the telephone conference call.

The applicants have carefully considered the Office action dated April 15, 2004 and the references it cites. By way of this amendment, claims 1, 19, and 26 have been amended. As explained below, it is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

Turning to the art rejections, the Office action rejects claims 1-29 as unpatentable over one or more of Blatter et al. (U.S. Pat. No. 5,933,500), Barton et al. (U.S. Pat. No. 6,233,389, and LaJoie et al. (U.S. Patent No. 5,850,218). The applicants respectfully traverse each of the rejections.

The applicants respectfully submit that claim 1 is patentable over the art cited in the Office action. Claim 1 recites an apparatus that searches and caches data packets of at least one PPV event without user intervention. None of the cited references, whether taken alone or in combination, teaches or suggests such a structure.

While Blatter et al. generally discloses a system that processes encrypted and non-encrypted broadcast, cable or satellite video data, there is no teaching or suggestion of an apparatus that searches and caches data packets of at least one PPV event without user intervention. Instead, Blatter et al. disclose a system requiring a user to select the programs that the user wishes to store. See Blatter et al., col. 3, lines 24-25; col. 8, line 62 to col. 9, line 1; and FIG. 2, box 210. Because the focus of Blatter et al. is on storing programs based on user intervention, there is no teaching or suggestion in Blatter et al. for

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searching and caching data packets of at least one PPV event without user intervention.

Therefore, Blatter et al. do not teach or suggest the apparatus recited in claim 1.

The remaining references fail to overcome the above-noted deficiencies of Blatter et al. Accordingly, claim 1 and all claims dependent thereon are now in condition for allowance.

Independent claims 19 and 26, and all claims dependent thereon, are also allowable for at least the reasons set forth above in connection with claim 1.

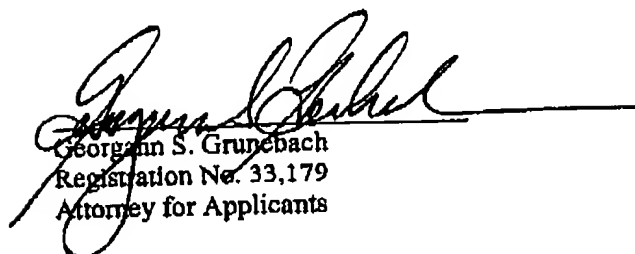
Because none of the cited references nor their combination, even if there were motivation for such a combination, teaches or suggests searching and caching data packets of at least one PPV event without user intervention, it follows that there is no motivation to modify the system disclosed in Blatter et al. in a manner that renders the claimed subject matter obvious. Therefore, the obviousness rejections based thereon should be withdrawn. Accordingly, claim 26 and all claims depending therefrom should be allowed.

For these reasons, it is respectfully submitted that claims 1-29 are in condition for allowance. If, for any reason, the examiner is unable to allow the application in the next Office action, the examiner is encouraged to telephone the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-0383.

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Respectfully submitted,



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